

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

EARLE E. AUSHERMAN, et al. *

Plaintiffs *

vs. * CIVIL ACTION NO. MJG-01-438

BANK OF AMERICA CORPORATION, *
et al.

Defendants *

* * * * *

MEMORANDUM AND ORDER

The Court has before it Defendants' Motion to Supplement the Record [Paper 265] and the materials submitted relating thereto. The Court finds that a hearing is unnecessary.

This Court had before it, and considered as appropriate, the materials at issue when rendering its decision. Any party should have the ability to present the said materials to the United States Court of Appeals for the Fourth Circuit for its consideration.

For the foregoing reasons:

1. Defendants' Motion to Supplement the Record [Paper 265] is GRANTED.
2. The materials contained in Exhibit A to the said motion are accepted as part of the record in this case.

SO ORDERED, on Tuesday, November 8, 2005.

/ s /
Marvin J. Garbis
United States District Judge